

CITY OF CARLSBAD

COUNCIL POLICY STATEMENT

General Subject: "NO SMOKING" POLICY

Specific Subject: NO SMOKING IN CITY RECREATION
FACILITIES

Policy No.13

Date Issued July 1, 1980

Effective Date July 1, 1980

Cancellation Date

Supersedes No.

Copies to: City Council, City Manager, City Attorney, Department and
Division Heads, Employee Bulletin Boards, Press, File

PURPOSE:

To establish a policy regarding smoking in the City recreation facilities.

STATEMENT OF POLICY:

There shall be No Smoking allowed in any of the City recreation facilities.

July 1, 1980

220

KUICHIN
LEWIS
ANEAR
CASLER
PACKARD

(70) 18. AGUA HEDIONDA LAGOON AGREEMENTS (CONTINUED)
(45)

RESOLUTION NO. 6225, APPROVING
AN AGREEMENT BETWEEN THE CITY OF
CARLSBAD AND D. DALJIT SARKARIA, MARINA
OWNER AT SNUG HARBOR, REGARDING THE
USE OF THE SURFACE WATERS OF AGUA
HEDIONDA LAGOON AND THE PROVISION
OF LAUNCHING FACILITIES AND AUTHORIZING
THE MAYOR TO EXECUTE SAID AGREEMENT.

Ayes

X X X X

(79) 19. AB #6269 - RECREATION FACILITY POLICY.

A staff report was presented by the City
Manager.

Council Member Casler expressed the opinion
that because the Harding Street Community
Center buildings had been purchased with the idea
in mind that a portion would be rented out for
dinners, weddings and to private organizations
it would be inappropriate to impose a no smoking
policy when such events occurred.

Council adopted a "no smoking" policy for City
recreation facilities and directed staff
to prepare a City Council Policy Statement.

Motion
Ayes
Noes

X X X
X

(93) 20. AB #6286 - ISSUANCE OF SEWER PERMITS
FROM ENCINA RERATING.

The staff report was presented by the City
Attorney indicating prior Council action and
direction. In that approval of Encina re-rating
has been made by all member agencies, the
condition in the Resolution requiring this
action before issuing permits has been satis-
fied; therefore, the Resolution is effective
upon adoption.

Following brief discussion, Council adopted
the following Resolution:

RESOLUTION NO. 6226, AUTHORIZING
THE ISSUANCE OF 1,800 EDU'S OF
SEWER CAPACITY ON A FIRST COME,
FIRST SERVED BASIS, SUBJECT TO
CERTAIN CONDITIONS.

Motion
Ayes

X X X X

(70) 21. AB #6287 - LEVANTE PARK BUILDING
(81)

Council Member Casler requested this item be
removed from the Agenda for further study.

The City Manager explained there had been
discussions re the use of the building, and
subsequent suggestions had been made.

Council accepted the gift of the building in
Levante Park and referred the matter back to
staff for further report and recommendation
regarding the use of such building.

Motion
Ayes

X X X X

DATE: NOVEMBER 14, 1974
TO: ALL DEPARTMENT HEADS
FROM: ASSISTANT CITY MANAGER
SUBJECT: COUNCIL POLICY NO. 13

Please remove Council Policy No. 13 from your Council Policy Handbook per action taken at the City Council meeting of March 19, 1974. This policy was replaced by City Ordinance and Resolutions covering Environmental Quality Act.



WILLIAM C. BALDWIN
Assistant City Manager

WCB:dp

cc: Mayor and Councilmen
City Attorney
City Clerk
Building Director
Finance Director
Fire Chief
Librarian
Parks and Recreation Director
Personnel Director
Planning Director
Police Chief
Public Works Administrator
Purchasing Agent

COUNCIL POLICY NO. 13

Cancelled by City Council, March 19, 1974

Environmental Quality Act of 1970 and Supreme
Court Decision entitled Friends of Mammoth
vs. Mono County.

*Replaced by City Ordinance + Environmental
Quality Act Resolutions.*

CITY OF CARLSBAD

COUNCIL POLICY STATEMENT

General Subject: ADMINISTRATION

Specific Subject: Environmental Quality Act of 1970 and Supreme Court Decision entitled Friends of Mammoth vs. Mono County

Policy No. 13 (Page 1 of 4)

Date Issued 10-10-72

Effective Date 10-10-72

Date Amended & Supplemented 10-19-72

Supersedes No.

Copies to: City Council, City Manager, City Attorney, Department and Division Heads, Employee Bulletin Boards, Press, File

PURPOSE:

To establish guidelines and procedures for an interim program to insure compliance with the Environmental Quality Act of 1970 and the Supreme Court decision entitled Friends of Mammoth vs. Mono County (Sept. 21, 1972).

STATEMENT OF POLICY:

1. The Council is advised that the California Supreme Court in the Friends of Mammoth decision has interpreted the California Environmental Quality Act of 1970 to apply to private as well as public projects, and with respect to all such projects, to require the preparation, in writing, of environmental impact statement with respect to all such projects which may have a significant effect upon the environment.
2. As a general guideline to be followed by the staff, it shall hereafter be deemed that the following types of building or development activities shall be considered to have a trivial or insignificant effect on the environment.
 - (a) building permits for single family detached dwellings in a presently developed area or presently approved subdivision.
 - (b) two family dwellings, subject to similar conditions as set forth in paragraph (a) above.
 - (c) permits for swimming pools.
 - (d) permits for mobile home accessories, fences, patios, building accessories, to existing residences, additions and alterations to existing residences, work to be done inside of external walls of existing buildings, demolition permits.
 - (e) other similar activity.

provided, however, that the staff may, at its discretion, make a determination that any of the foregoing types of activity may, in an individual case, be deemed to have a possible significant effect upon the environment for reasons such as: proximity to the beach, proximity to a lagoon, proximity to flood plains, or any other reason which, in the judgment of the staff, might constitute a good reason to require an environmental impact statement.

CITY OF CARLSBAD
COUNCIL POLICY STATEMENT

Policy No. 13 (Page 2 of 4)

Date Issued 10-10-72

General Subject: ADMINISTRATION

Effective Date 10-10-72

Specific Subject: Environmental Quality Act
of 1970 and Supreme Court
Decision entitled Friends
of Mammoth vs. Mono County

Date Amended &
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STATEMENT OF POLICY (Cont'd.):

3. As a condition of the City issuing any permit or entitlement other than for projects which are deemed to have an insignificant effect upon the environment, the applicant, as a condition of the issuance of such permit or entitlement, shall sign an indemnity agreement which shall be in a form as shall be designated by the City Attorney. The substance of such agreement shall require the applicant to agree to hold the City harmless from the consequences of further development as related to the Environmental Quality Act and the Mammoth Decision.
4. With respect to all private projects which have been approved and which have not yet been substantially completed, the staff shall take reasonable steps to notify the developers thereof of this policy statement and the subject matter to which it relates and, whenever possible, to secure the execution of the "hold harmless" agreement by the developer prior to any further construction on any such project that is determined to be of significant environmental impact.
5. This policy statement is intended as a guideline only, and it is recognized that the staff shall have considerable discretion in the following of these guidelines, it being the over-all intent herein to take all reasonable steps to insure compliance with the law, and at the same time, to avoid unnecessary delays with respect to those projects which involve only trivial environmental effects.
6. The staff shall prepare a set of draft ordinances detailing procedures and guidelines for meeting the requirements of the law and present them to the Council for consideration at the adjourned meeting of October 30, 1972.
7. The interim program for private development activity shall be as follows:
 - (A) Zoning and rezoning -- Except in those cases in which a proposed zoning action relates to a specific developmental plan of environmental significance, applications will be processed in a normal manner. Applications within the exception will be continued pending adoption of ordinances and providing procedures for meeting the requirements of the Environmental Quality Act of 1970.
 - (B) Lot splits and parcel maps -- The City will treat lot splits and parcel maps in a manner similar to zonings and rezonings.

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- (C) Conditional Use Permits, Variances and other similar permits -- Permits which, in the opinion of staff, will result in a trivial or insignificant impact on the environment will be processed in a normal matter. All other permits will be continued until the adoption of ordinances providing procedures for meeting the requirements of the EQA of 1970.
- (D) Final Subdivision Maps -- Upon execution of the indemnity agreement by the applicant, final maps will be processed in a normal manner.
- (E) Tentative Subdivision Maps -- Staff will seek to obtain voluntary agreements for a continuance of all maps pending adoption of ordinances as described above. In the event such an agreement is not forthcoming, the Council will consider either denying the map on environmental grounds or approving it subject to the condition that an Environmental Impact Report will be prepared by staff, with information furnished by the applicant as required, said report then necessitating approval by the Planning Commission.
- (F) Building Permits --
- (a) Permits for work within the definitions of trivial or insignificant environmental impact will be processed as usual.
- (b) Permits for projects of large magnitude which in the judgment of staff clearly will have a substantial environmental effect will be held in abeyance pending more detailed investigation of their environmental effect. Staff will be guided in making this determination by looking at a totality of factors including location on the coast, hillsides, flood plain or lagoons, degree of physical change in the area, amount of earth moving required, compliance with growth patterns in the general plan, presence or absence of streets and utilities and the effect on vegetation, trees, and wildlife.
- (c) All permits for projects not within (a) or (b) as described above will be processed in a normal manner provided the applicant and project owner are agreeable to executing the indemnity agreement.

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(d) Permits issued for work which is not yet substantially complete will be reviewed by staff. Projects within category (b) as described above will be required to execute the indemnity agreement.

8. Public projects -- The City will enter into no leases or award any contracts for public work unless an Environmental Impact Report has been prepared and acted upon or unless it has been clearly demonstrated that the project will have only an insignificant or trivial effect on the environment. A review of ongoing projects including 1911 Acts will be made to determine their environmental effect and action will be taken accordingly.